

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested. Claims 1-4, 6-15, 17-19 and 21 are pending in the present application. Claims 1, 10, 11, 12 and 21 are amended and support for which is found at length at pages 11-13 of the specification. No new matter is added.

By way of summary, the Official Action presents the following issues: Claims 1-4, 6-15, 17-19 and 21 stand rejected under 35 U.S.C. § 102 as being unpatentable over Kannas et al. (U.S. Patent 6,683,853, hereinafter Kannas).

REJECTION UNDER 35 U.S.C. § 102

The Official Action has rejected Claims 1-4, 6-15, 17-19 and 21 under 35 U.S.C. § 102 as being unpatentable over Kannas. The Official Action contends that Kannas describes all the Applicants' claimed features. Applicants respectfully traverse the rejection.

Applicants' Claim 1 recites, *inter alia*, a method of operating an admission control device in a mobile communication system capable of providing a first communication that guarantees a service quality and a second communication that does not guarantee the service quality at a mobile station, including:

... sending a required service quality required by an application from the mobile station to the admission control device when the mobile station sends a service request, the mobile station configured to request one of the first communication which is a quantitatively guaranteed service and the second communication which is a relatively guaranteed service, according to a type of the application;

calculating, by the admission control device upon receiving a request for the first communication, a reference service quality as an admissible service quality, said reference service quality being a service quality when a propagation quality is lowest at the mobile station; and ...

Kannas describes a method of dynamically upgrading a service of a packet switched network. For example, as shown in Figure 2 a dynamic upgrade of a quality of service in a mobile telecommunication system is provided by monitoring available resources. In other words, user equipment (10) may request activation of an initial service. If a designation of a desired quality of service corresponding to the request is not available, the system may identify a lower level quality of service that is available and assign the user request the lower quality of service.¹ The user is then queried as to whether or they will accept the lower quality of service, if so the system activates the requested service, if not, the user cannot activate the service. Thereafter, the system continuously monitors the quality of service available for upgrading the user's quality of service at a later time should additional capacity appear.²

Conversely, in an exemplary embodiment of the Applicants' claimed advancements, an admission control device provides a first communication which guarantees a service quality and a second communication that does not guarantee a service quality to a mobile station. A mobile station provides a required service quality of an associated application to the admission control device via a service request. The mobile station requests at least one of the first communication which is a quantitatively guaranteed service and second communication which is a relatively guaranteed service based upon a type of application. The admission control device, upon receiving a request for the first communication calculates a reference service quality as an admissible service quality. The reference service quality is a service quality when a propagation quality is lowest at the mobile station. The admission control device admits the service request from the mobile station if a required service quality is less than or equal to the reference service quality.

¹ See Kannas at Figure 2; column 5, lines 45-51.

² Kannas at Figure 2; column 5, line 58 to column 6, line 23.

At the outset, it is worth noting that changing a request of quality of service to another quality of service as described in Kannas is markedly different from “quantitatively-guaranteed service” and “relatively-guaranteed service” as recited in Claim 1. More specifically, “quantitatively-guaranteed service” is a service that guarantees a required quality of service.

In other words, upon receiving a request for the first communication which is a quantitatively guaranteed service the admission control device calculates a reference service quality as an admissible service quality. The reference service quality is a service quality “bench mark” which indicates a service quality which would be provided during a condition in which propagation quality is lowest at the mobile station. Thus, unlike Kannas the calculate reference service quality is only provided upon receiving a request for the first communication. Moreover, unlike Kannas, the calculation of the reference service quality is not an alternative to the service quality requested for admission, but instead, is used as a bench mark for determining whether or not the requested first communication is possible during instances when a propagation quality is lowest.

Additionally, Claim 1 recites that the mobile station decides to request one of the first communication and the second communication according to a type of application. This feature is not disclosed or suggested by the Kannas reference. Likewise, as independent Claims 10, 11, 12 and 21 recite substantially similar limitations to that discussed above, Applicants respectfully submit that these claims and their corresponding dependent claims are likewise allowable over the cited reference.

CONCLUSION

Consequently, in view of the foregoing remarks, it is respectfully submitted that the present application, including Claims 1-4, 6-15, 17-19 and 21, is patentably distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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